

FAS

FIELD ADVISORY SERVICES

FAS TRACK

Defense Civilian Personnel Management Service

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New FAS On-line Services

In the last edition of the FASTACK we alerted our readers to the availability of the FAS Tools CD-ROM and expanded capabilities of on-line services. We are happy to announce that FAS now offers a new on-line service that allows customers to subscribe to our e-mail distribution list, request the FAS Tools CD-ROM, or register for FAS training courses. The new services are available on our website at http://www.cpms.osd.mil/fas/special_services/special_services.html.

Benefits and Entitlements Branch

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Nonappropriated Fund (NAF) Retirement Issues

Benefits Administration Letter (BAL) 02-102, issued May 1, 2002, provides information for agencies on Sections 1131 and 1132 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107). Access to this BAL is located at <http://www.opm.gov/asd/htm/2002/02-102.htm>.

Section 1131 applies to NAF employees moving to civil service positions on or

after December 28, 2001, and allows employees to retain their NAF retirement coverage after such a move even if they were not vested in the NAF retirement system. Previous coverage requirements remain and include:

- Having not had a prior opportunity to elect to continue NAF coverage based on a prior qualifying move;
- Participating in a NAF retirement plan;
- Moving from NAF service in DoD or Coast Guard to a retirement-covered appointment in the civil service employment system; and
- Obtaining a retirement-covered appointment in civil service within one year of separation from covered NAF service.

The employee has 30 days from the date of the agency notice to make an election. (Refer to the BAL for complete instructions and a copy of the election form.)

Section 1132 permits employees in the Civil Service Retirement System (CSRS) and the Federal Employees Retirement System (FERS) to use prior NAF service to qualify for an immediate retirement. The NAF service credit is only qualifying for an immediate retirement and will not increase the CSRS or FERS annuity. The Office of Personnel Management (OPM) will be issuing a BAL to explain how an employee may elect to use NAF service for CSRS or FERS retirement and how that employee's annuity will be

computed after they issue regulations pursuant to Public Law 107-107.

Classification Appeals Adjudication Section

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Use of the Term “Performs Other Duties As Assigned”

A position description (PD) documents the major duties, responsibilities, and organizational relationships of a job. It serves as the official record of the classification of the job and is used to make many other personnel decisions. PDs should be written in clear, concise, and easy to understand language. Because minor duties normally do not affect the classification of a position, are usually less important to work operations, and change frequently, it is generally not necessary to mention them in the PD. Therefore, the statement “Performs other duties as assigned” is included in many PDs to cover such situations. These duties do not have to be related to the primary purpose of the position, but good judgment should be exercised when making such assignments. It is important to note that management retains the right to assign work regardless of whether the duties are contained in the PD, or whether the PD contains the phrase “Performs other duties as assigned.”

Pay & Hours Of Work Section

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Premium Pay Limitations

Section 1114 of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107-107) changed the biweekly limitation on premium pay from the maximum payable for GS-15 to the greater of the maximum payable for GS-15, or level V of the Executive Schedule. It also eliminated the special premium pay cap for law enforcement officers and authorized the use of an annual cap for employees performing work critical to an agency's mission. The interim regulations became effective for DoD employees on May 5, 2002.

Modifications to the Defense Civilian Pay System (DCPS), however, have not been completed. The Defense Finance and Accounting Service anticipates that the required DCPS changes will be implemented in September, and that an automated process will compute and pay any additional amounts due employees at that time.

Firefighter Pay

On April 2, 2002, the Office of Personnel Management (OPM) issued final regulations regarding compensation for Federal firefighters covered by Subpart M of Part 550 of title 5, Code of Federal Regulations. These regulations implement a 1998 law that established a new approach for calculating basic pay,

overtime pay, and other entitlements for Federal employees whose positions are classified in the Fire Protection and Prevention Series, GS-0081, and who have regular tours of duty averaging at least 53 hours per week. The regulations are posted on OPM's Web site at <http://www.opm.gov/fedregis/index.htm>.

Post Differential Alert

A special footnote listed in Section 920 of the Department of State Standardized Regulations (DSSR) applies to employees detailed to Afghanistan. Footnote "n", effective December 16, 2001, reads, "An employee who serves for a period of 42 consecutive calendar days or more on detail (Section 511d) in Afghanistan may be granted the post differential at the prescribed rate for the number of days served, with the first day of detail." The post differential rates are 25 percent for Kabul and Other Locations. Payment beginning with the first day of the detail is a change from the "normal" practice for payment of post differential. That is, normally, an employee on detail is paid a post differential starting from the 43rd day, after serving 42 days at one or more differential locations with no post differential payment for the first 42 days.



Staffing and Development Branch

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Department of Defense Successful Employment of Persons With Disabilities

President Bush's New Freedom Initiative calls for an increase in employment opportunities for individuals with disabilities at all levels and occupations in the Federal Government. The Office of Personnel Management has called for the removal of employment barriers that persons with disabilities encounter when seeking employment. A target of 100,000 new employees with disabilities was established for all Federal agencies, with the Department of Defense goal set at 32,000 of those new hires.

As the Department has downsized and restructured, managers have continued to select employees with disabilities at the average rate of 5 percent of all new hires. Consolidations taking place within the Military Departments and Defense agencies call for expanded outreach efforts and appropriate accommodations to reach the goal of 32,000 new hires from FY 2001 to 2005. As DoD strives to increase its hiring of new employees with disabilities, managers and supervisors are asked to increase their focus on training, mentoring, and career development of persons with disabilities throughout the total workforce.

For more information on President Bush's New Freedom Initiative, refer to: <http://www.whitehouse.gov/infocus/newfreedom>

For information on the advantages of hiring persons with disabilities refer to: <http://www.ilr.cornell.edu/ped/accessforall/index.htm?page=whyhire>.

Labor Management and Employee Relations Branch

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Topics of Frequently Disapproved Language

The Labor and Employee Relations Branch reviews all collective bargaining agreements negotiated within the Department of Defense, pursuant to 5 U.S.C. 7114(c). Agreements are disapproved if they contain language that violates law (including the rights reserved to management by 5 U.S.C. 7106(a)), government-wide regulation, or agency regulation.

The Branch continually analyzes language that causes agreement disapproval. The chart on page 7 notes the subject areas where problematic language most frequently occurs, showing the number of times such language has been cited as a reason for disapproval. Examples of specific provisions that have resulted in disapproval will be published in future

editions of the FASTrack to assist you in negotiating or reviewing contract language.

We hope that sharing this information will make negotiators aware of problem language, and further our goal of reducing the number of disapproved contracts.

Injury and Unemployment Compensation (IC/UC)

Job-Related Injuries

The Department of Labor (DOL) has implemented another way to submit claims for work related injuries and illnesses. Within the Department of Defense (DoD), it will soon be possible to send electronic claim forms to DOL. The new claims submission program covers CA-1 and CA-2 forms submitted for DoD Appropriated Fund employees. It is called "The Injury Compensation (IC) Electronic Data Interchange (EDI) Program."

Electronic claims have claim numbers assigned within two days. This faster administrative start means that employees and agencies will get DOL information back earlier than before, thereby expediting the overall review process. The EDI program significantly reduces the amount of data that DOL must enter manually, resulting in fewer

transcription errors. Electronic claims also avoid unfortunate mail delays.

The DoD EDI version is in the late stages of testing. We anticipate installation access to the IC EDI program this summer. Installations are strongly encouraged to take advantage of the EDI program, and the benefits it offers.

EDI implementation information has already been sent to Installation Injury Compensation Program Administrators (ICPA) by e-mail. Additional information will be sent to ICPAs when a firm implementation date is determined. ICPAs who have not received e-mail notification of the EDI program are encouraged to contact the IC/UC Division. You may ask to be included in the Division's ICPA e-mail distribution list, and receive the previous EDI information, by sending your name and e-mail address to john.wyatt@cpms.osd.mil.



Regionalization And Systems Modernization

<http://www.cpms.osd.mil/pmo/homepage.htm>

The Modern Defense Civilian Personnel Data System – Systems Innovation Subcommittee

The Regionalization and Systems Modernization Division of CPMS hosted the first meeting of the Systems Innovation Subcommittee (SIS) on Wednesday, March 27, at CPMS. The SIS is a subcommittee of the modern Defense Civilian Personnel Data System (DCPDS) Change Control Board (CCB). The CCB is responsible for evaluating, prioritizing, and approving baseline changes and enhancements to the modern DCPDS. Modern DCPDS is the DoD enterprise-wide human resources information system, and supports close to 800K civilian employees. The CCB is comprised of representatives from the Military Departments and Defense agencies, and is chaired by CPMS.

The SIS was established to review new technology and software applications that

can potentially supplement or replace functionality in the modern DCPDS.

Like the CCB, the SIS is made up of Component representatives, and is chaired by CPMS. It will review products and solutions (both commercial and government) that have DoD-wide applicability, and evaluate their cost effectiveness and return on investment. The subcommittee will provide analysis and recommendations to the CCB for final review and approval.

The March meeting provided information on policies, procedures, and guidance under development for the subcommittee. The meeting also featured a demonstration of automated staffing and classification modules presented by representatives of Avue Digital Services.

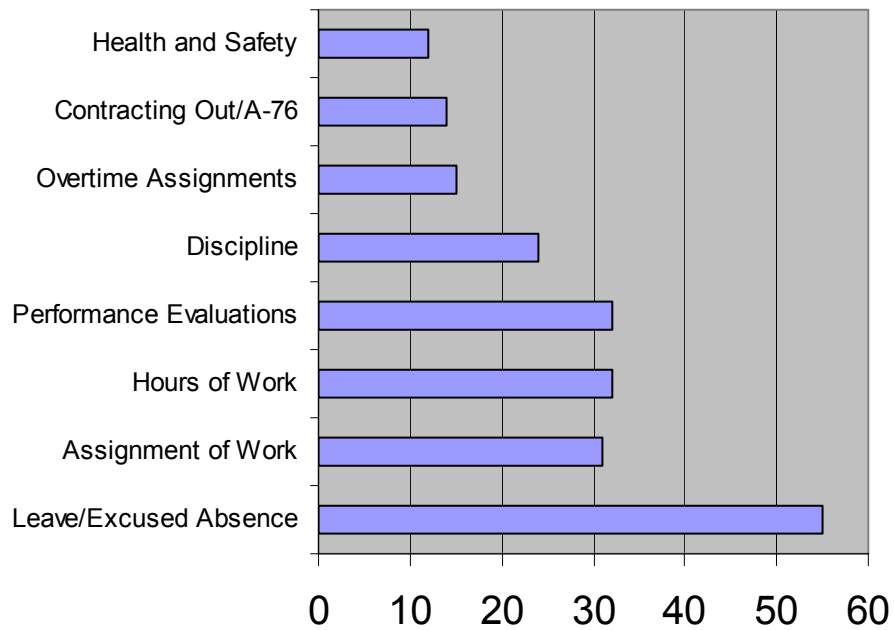
CPMS EMPLOYMENT CORNER

CPMS job vacancies are posted on the Human Resources Operations Center (HROC) job opportunities web site at <http://www.hroc.dla.mil/joas> and on the OPM jobs bulletin board at <http://www.usajobs.opm.gov>.



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Topics of Frequently Disapproved Language



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